

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Scott Gregory, et al.

v.

Civil No. 09-cv-00183-JL

Maryland Casualty Company

**ORDER AFTER PRELIMINARY**  
**PRETRIAL CONFERENCE**

The Preliminary Pretrial Conference was held in chambers on **October 19, 2009.**

By **October 27, 2009**, The parties shall jointly file a new discovery plan which adopts the plaintiff's proposed trial date and the defendant's proposed structure and sequence of events.

Based on the discussions between the court and counsel at the conference, the following affirmative defenses are **stricken** without prejudice to being reinstated on request if warranted by the evidence: defendant's 2nd affirmative defense (statute of limitations).

The court stated its intention to order the defendant to amend ¶¶ 13, 17 and 19 of its Answer, but plaintiff's counsel indicated that was unnecessary.

**Summary Judgment.** The parties and counsel are advised that compliance with Rule 56(e) and Local Rule 7.2(b), regarding evidentiary support for factual assertions, and specification and delineation of material issues of disputed fact, will be required.

**Discovery disputes.** Discovery disputes will be handled by the undersigned judge, as opposed to the Magistrate Judge, in the normal course. No motion to compel is necessary. The party or counsel seeking discovery-related relief should confer with adverse counsel to choose mutually available dates, and then contact the Deputy Clerk to schedule a conference call with the court. The court will inform counsel and parties what written materials, if any, should be submitted in advance of the conference call.

Customary motions to compel discovery, while disfavored by the undersigned judge, are nonetheless permissible. If counsel prefer traditional discovery litigation to the conference call procedure set forth above, any such motion to compel should expressly request, in the title of the motion, a referral to the United States Magistrate Judge. Such referral requests will normally be granted.

**SO ORDERED.**

  
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Joseph N. Laplante  
United States District Judge

Dated: October 19, 2009

cc: Gordon A. Rehnborg, Jr., Esq.  
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Stephen J. Abarbanel, Esq.  
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